



County of Los Angeles
CHIEF ADMINISTRATIVE OFFICE

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DAVID E. JANSSEN
Chief Administrative Officer

Board of Supervisors

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Second District

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April 29, 2004

To: All Department Heads

From: David E. Janssen
Chief Administrative Officer

REVISED CHILD SUPPORT COMPLIANCE PROGRAM

On March 30, 2004, the Board of Supervisors adopted revisions to the County's Child Support Compliance Program proposed by the Director of Child Support Services, based largely on Program experience and streamlining recommendations by the Administrative Deputies Network. As reflected in the revised Ordinance (Attachment I), the revisions modify the scope of the Program, improve its administration, and significantly reduce the administrative burden to County departments.

In adopting these revisions, the Board instructed this Office and the Internal Services Department (ISD) to amend the standard solicitation and contract language and revise the implementation instructions for County departments. ISD has updated the model solicitation documents to reflect these changes and they are available at <http://purchasingcontracts.co.la.us>. Attachment II provides the implementation instructions including new solicitation and contract language.

These instructions are effective May 6, 2004, and apply to all new solicitations and contracts. Your staff may contact Dorothea Park of this Office at (213) 974-1319 or dpark@cao.co.la.ca.us with any questions.

Thank you for your compliance with this Program.

DEJ:LS
MKZ:os

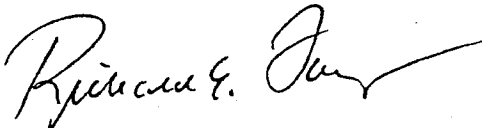
Attachments

c: Chair, Small Business Commission
Director, Office of Small Business

ANALYSIS

This ordinance will significantly change the requirements for the Child Support Compliance Program. It will eliminate the requirements for private entities contracting with the County to report principal owner information, as well as, eliminate other reporting and data collection. Under the amended ordinance, private entities entering new contracts with the County would only be required to register their employees in the State New Hire Registry and comply with all wage assignments and garnishments lawfully served by the Child Support Services Department. Contracts with a total value of less than \$5,000 are exempted.

LLOYD W. PELLMAN
County Counsel

By 
RICHARD E. TOWNSEND
Assistant County Counsel
Probate Division

11/19/03
ret

ORDINANCE NO. 2004-0017

An ordinance amending the Los Angeles County Code, Title 2 --Administration relating to the Los Angeles County Child Support Compliance Program.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Section 2.200.010 is hereby amended to read as follows:

2.200.010 Findings and declarations.

The board of supervisors finds that compliance with court-ordered child, family, or spousal obligations is in the public interest and benefits all residents of the County of Los Angeles. Unpaid support obligations have required the County and its taxpayers to protect the public health and welfare by providing a large array of social, medical and other services for the benefit of children and families to whom these support obligations are owed and to bear the cost of maintaining one of the largest support enforcement systems in the United States.

~~Nonpayment of child, family and spousal support is the leading cause of childhood poverty and welfare dependency in the United States. Los Angeles County has commenced prosecuting more than 512,000 child support cases, and opens more than 7,000 new cases each month. This represents the largest local child support enforcement program in the United States. The widespread failure to comply with court-ordered child, family and spousal support obligations evidenced by this enormous caseload endangers the public health and welfare of children and families in Los Angeles County.~~

~~Unpaid support obligations have required the county and its taxpayers to protect the public health and welfare by providing a large array of otherwise unneeded social, medical and other services for the benefit of children and families to whom these support obligations are owed and to bear the cost of maintaining one of the largest support enforcement systems in the United States. Billions of dollars of unpaid support obligations have created an immense economic burden upon the county and its taxpayers.~~

Therefore, the board of supervisors establishes the goal of ensuring that individuals who benefit financially from the County through employment, or contracts, ~~or by the issuance of a business license~~ are in compliance with their court-ordered child, family, and spousal support obligations in order to mitigate the economic burden otherwise imposed upon the County and its taxpayers.

~~It is the Board's intent to help ensure greater effectiveness of the effort to collect unpaid child support by assisting the district attorney in identifying and tracking employment as well as business and other assets of those who owe support obligations. By its support of this chapter and its continued efforts to gather the information necessary to successfully enforce support obligations, the board finds that the district attorney has made a continuing request pursuant to the Public Records Act for county employment information.~~

SECTION 2. Section 2.200.020 is hereby amended to read as follows:

2.200.020 Required Contract Language Definitions.

~~Except as expressly provided in this section, the definitions set forth in Chapter 2.02 shall apply to construction of this chapter. For purposes of this Chapter 2.200, the terms set forth below shall have the following significance:~~

~~_____ A. "Business licensee information" means the name and social security number, if available, of an owner of record of a business who has applied for a new or renewed business license.~~

~~_____ B. "Contractor information" means a new or existing contractor's name, social security number, if available, and whether or not the contractor has been issued any payment for goods provided or services performed for Los Angeles County.~~

~~_____ C. "Employment information" means a new or existing employee's name and title, and whether or not he or she receives any compensation from the county of Los Angeles insofar as disclosure of this information is authorized by the Public Records Act, Government Code Section 6254(c) or in response to a request made in accordance with Welfare and Institutions Code Sections 11478, 11478.1 or 11478.8.~~

~~_____ D. "Existing contractor" means any individual, partnership or other entity contracted by the county to provide goods or to perform services when performance under the contract commenced prior to the operative date of this chapter.~~

~~_____ E. "Existing employee" means an individual who was an employee of the county prior to the operative date of this chapter.~~

~~_____ F. "New contractor" means an individual, partnership or other entity contracted or seeking to contract to provide goods or to perform services for the county when performance under the contract commences on or after the operative date of the ordinance codified in this chapter.~~

~~_____ G. "New employee" means an individual who becomes an employee or is reinstated as an employee of the county after the operative date of this chapter.~~

~~_____ H. "Principal owner" means any individual who owns an interest of 10 percent or more in a new or existing contractor as defined herein.~~

~~_____ I. "Principal owner information" means a principal owner's name and title and whether or not the principal owner has been issued any payment by the new or existing contractor.~~

All new and renewed contracts shall contain language which (a) requires the contractor to fully comply with all applicable state and federal reporting requirements relating to employment reporting for its employees; (b) requires the contractor to fully comply with all lawfully served wage and earnings assignment orders and notices of assignment; (c) provides that failure to comply with state and federal reporting requirements regarding employees, or failure to implement lawfully served wage and earnings assignment orders or notices of assignment, constitutes a default under the contract, and failure to cure the default within 90 days of notice by the County shall subject the contract to termination; and (d) informs the contractor that failure to comply with these requirements may be cause for debarment.

SECTION 3. Section 2.200.030 is hereby amended to read as follows:

2.200.030 ~~Operative date~~ - Licensing records.

~~This chapter shall become operative upon the issuance by the chief administrative officer of the instructions to county departments concerning implementation of the chapter as provided in Section 2.200.040.~~

Upon request by the Child Support Services Department, the treasurer and tax collector is directed to report business licensee information to the Child Support Services Department not less than quarterly.

SECTION 4. Section 2.200.040 is hereby amended to read as follows:

2.200.040 ~~County reporting~~ - Contracts Under \$5,000.

~~For the purpose of implementing this chapter, the chief administrative officer shall prepare and issue appropriate instructions to all county department heads including protocols to maintain information in confidence when legally required. These instructions shall be reviewed and approved by the county counsel prior to issuance. These instructions shall require the county to report employment and contractor information to the district attorney in order to assist the district attorney in the performance of support enforcement activities. County department heads are directed to comply with these instructions and to assure that such information is reported in a timely manner to the district attorney on a quarterly basis.~~

This chapter shall not apply to contracts with a total value of less than \$5,000.

SECTION 5. Sections 2.200.050 to 2.200.090 are hereby deleted in their entirety.

SECTION 6. This ordinance shall be published in The Daily Commerce
a newspaper printed and published in the County of Los Angeles.

Don Knabe

Chairman



ATTEST:

Violet Varona-Lukens

Executive Officer - Clerk of the Board of
Supervisors of the County of Los Angeles

I hereby certify that at its meeting of April 6, 2004, the foregoing ordinance was
adopted by the Board of Supervisors of said County of Los Angeles by the following vote, to
wit:

Ayes

Noes

Supervisors Yvonne Brathwaite Burke

Supervisors None

Michael D. Antonovich

Zev Yaroslavsky

Don Knabe

Effective Date: May 6, 2004

Operative Date: _____

Violet Varona-Lukens

Executive Officer - Clerk of the Board of
Supervisors of the County of Los Angeles

I hereby certify that pursuant to
Section 25103 of the Government Code,
delivery of this document has been made.

VIOLET VARONA-LUKENS
Executive Officer
Clerk of the Board of Supervisors

By Martha J. [Signature]
Deputy



APPROVED AS TO FORM:

OFFICE OF THE COUNTY COUNSEL

By [Signature]
Raymond G. Fortner, Jr.
Chief Deputy County Counsel

**CHILD SUPPORT COMPLIANCE PROGRAM
IMPLEMENTATION INSTRUCTIONS**

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CHILD SUPPORT COMPLIANCE PROGRAM IMPLEMENTATION INSTRUCTIONS

I. OVERVIEW OF CHANGES TO CHILD SUPPORT COMPLIANCE PROGRAM

The Child Support Compliance Program (CSCP) is intended to assist the Child Support Services Department (CSSD) in locating County employees, contractors, and business licensees who owe child, family, or spousal support obligations. The Board of Supervisors initially approved the CSCP Ordinance on December 16, 1997 with the instruction to the District Attorney to report back on the effectiveness of the Program and, if appropriate, make recommendations for amendments to it. Subsequently, on July 1, 2001, the CSSD was created to assume child support enforcement responsibilities from the District Attorney. **On March 30, 2004, the Board approved revisions to the Ordinance, based on recommendations from the Director of CSSD. These changes are effective May 6, 2004. These instructions supercede all previous instructions.** A summary of the significant changes includes:

- Responsibility for the administration of CSCP is officially transferred from the District Attorney to CSSD;
- County employee reporting by the Auditor-Controller is replaced by new automated links to State and Federal databases;
- County solicitation and contract language has been revised to include the possibility of debarment for noncompliance with CSCP;
- The Principal Owner Information and Child Support Compliance Program Certification forms are no longer required and are obsolete; contractors self-certify compliance via contract and purchase order language;
- The CSCP database will now include information on contractors who have failed to comply, or who have been debarred, rather than listing contractors who are in compliance;
- The requirements will not apply to procurements to respond to emergencies, petty cash or revolving fund purchases, purchase card purchases, national or state contracts established for the purchase of equipment and supplies for and/or by the State of California (CMAS), the National Association of Counties, U.S. Communities Government Purchasing Alliance, or any similar or related group purchasing organization, and non-agreement purchases under \$5,000.

II. NOTICE TO PROSPECTIVE AND NEW COUNTY EMPLOYEES

A. Required Notice for Inclusion in Job Bulletins

As previously required, the following language, approved by the Department of Human Resources, shall be included in all job bulletins:

In an effort to improve compliance with court-ordered child, family, and spousal support obligations, certain employment and identification information (i.e., name, address, Social Security number and date of hire) is regularly reported to the State Directory of New Hires which may assist in locating persons who owe these obligations. Family Code Section 17512 also permits the CSSD to request additional employment and identifying information under specified circumstances. Applicants will not be disqualified from employment based on this information.

B. New Employee Acknowledgment of Program

As previously required, departments shall continue to inform new employees about the CSCP during orientation and secure their signature acknowledging that they have been so informed. The language for the required employee acknowledgement is as follows:

The Los Angeles County Board of Supervisors established the Child Support Compliance Program (County Code Chapter 2.200) to ensure that individuals who benefit financially from the County, through employment, contract, or by the issuance of a business license, are in compliance with their court-ordered child, family, and spousal support obligations.

YOUR SIGNATURE BELOW INDICATES YOUR AWARENESS OF THIS ORDINANCE AND ITS REQUIREMENTS.

I am aware that the County regularly reports employment and identification information (i.e., name, address, Social Security number and date of hire) to the State Directory of New Hires as required by State and Federal law, and may report additional employment and identification information to the Child Support Services Department pursuant to

Welfare and Institutions Code Section 11478.1 and Family Code Sections 17505 and 17512 in order to assist the Child Support Services Department in locating and tracking parents and other persons who owe child, family, and spousal support obligations.

Employee Signature _____

Date _____

III. CONTRACTOR COMPLIANCE – REQUIRED SOLICITATION AND CONTRACT LANGUAGE

A. Contracts and Purchase Orders Excluded from CSCP Requirements

The revised Ordinance applies to all new and renewed contracts, including purchase orders, with the following exclusions:

1. National or State contracts established for the purchase of equipment and supplies for and/or by the State of California (CMAS), the National Association of Counties, U.S. Communities Government Purchasing Alliance, or any similar or related group purchasing organization.
2. Revolving fund or petty cash purchases pursuant to the Los Angeles County Fiscal manual, Section 4.4.0 or a successor provision.
3. A purchase card purchase pursuant to the Los Angeles County Purchasing Policy and Procedure Manual, Section P-2810 or a successor provision.
4. A non-agreement purchase with a value of less than \$5,000 pursuant to the Los Angeles County Purchasing and Policy Manual, Section A-0300 or a successor provision.
5. A procurement to respond to an emergency.

B. Required Language for Solicitation of Bids or Proposals

The following revised language has been approved by County Counsel and must be included in all solicitations for bids or proposals

Bidders/Proposers shall: 1) fully comply with all applicable State and Federal reporting requirements relating to employment reporting for its employees; and, 2) comply with all lawfully served Wage and Earnings Assignment Orders and Notice of Assignment and continue to maintain

compliance during the term of any contract that may be awarded pursuant to this solicitation. Failure to comply may be cause for termination of a contract or initiation of debarment proceedings against the non-compliant contractor (County Code Chapter 2.202).

C. Required Contract Language for Child Support Compliance Program Requirements

The following revised language, eliminating reference to the District Attorney and replacing it with the Child Support Services Department, has been approved by County Counsel and must be included in all new and renewed contracts, including purchase orders. The contractor self-certifies compliance with the CSCP via this contract provision:

**CONTRACTOR'S WARRANTY OF ADHERENCE TO
COUNTY'S CHILD SUPPORT COMPLIANCE PROGRAM**

CONTRACTOR acknowledges that COUNTY has established a goal of ensuring that all individuals who benefit financially from COUNTY through contract are in compliance with their court-ordered child, family, and spousal support obligations in order to mitigate the economic burden otherwise imposed upon COUNTY and its taxpayers.

As required by COUNTY'S Child Support Compliance Program (County Code Chapter 2.200) and without limiting CONTRACTOR'S duty under this contract to comply with all applicable provisions of law, CONTRACTOR warrants that it is now in compliance and shall during the term of this contract maintain in compliance with employment and wage reporting requirements as required by the Federal Social Security Act (42 USC Section 653a) and California Unemployment Insurance Code Section 1088.5, and shall implement all lawfully served Wage and Earnings Withholdings Orders or CSSD Notices of Wage and Earnings Assignment for Child, Family, or Spousal Support, pursuant to Code of Civil Procedure Section 706.031 and Family Code Section 5246(b).

D. Required Contract Termination Clause for Failure to Comply with Child Support Compliance Program Requirements

If the CSSD finds that a contractor is not in compliance with a lawfully served earnings assignment order or income withholding order, as self-certified in the contract, CSSD will send notice to the contracting department for

commencement of termination or debarment procedures. Further, CSSD will enter the name of the non-compliant contractor in the Child Support Compliance Program Intranet Web Site at <http://childsupport.co.la.ca.us/comp.htm>.

The following revised language has been approved by County Counsel and must be included in all new and renewed contracts, including purchase orders:

TERMINATION FOR BREACH OF WARRANTY TO MAINTAIN COMPLIANCE WITH COUNTY'S CHILD SUPPORT COMPLIANCE PROGRAM

Failure of CONTRACTOR to maintain compliance with the requirements set forth in Paragraph ____ "CONTRACTOR'S WARRANTY OF ADHERENCE TO COUNTY'S CHILD SUPPORT COMPLIANCE PROGRAM" shall constitute default under this contract. Without limiting the rights and remedies available to COUNTY under any other provision of this contract, failure of CONTRACTOR to cure such default within 90 calendar days of written notice shall be grounds upon which COUNTY may terminate this contract pursuant to Paragraph ____ "TERMINATION FOR CONTRACTOR'S DEFAULT" and pursue debarment of CONTRACTOR, pursuant to County Code Chapter 2.202.

IV. CHILD SUPPORT COMPLIANCE PROGRAM INTRANET WEB SITE

Prior to recommending a contract award or issuing a purchase order, department staff shall check the CSCP Intranet Web Site at <http://childsupport.co.la.ca.us/comp.htm> to confirm that the contractor is not listed as non-compliant. This action shall be documented in the contract file.

V. L.A.'S MOST WANTED: DELINQUENT PARENTS' LIST

A. Delinquent Parents' List on Internet

The CSSD will maintain and periodically update the "L.A.'s Most Wanted: Delinquent Parents' List on the Internet. The List may be televised before and after Board of Supervisors meetings.